Attorney Docket # 4830-15

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Perry Calias et al.

Serial No.:

09/543,489

Filed: April 06, 2000

For:

Immunomodulatory Compositions and Methods

of Use Thercof

Examiner: B. Badio

Group Art: 1616

Assistant Commissioner for Patents Washington, DC 20231 **BOX AF** 

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

SIR:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated January 7, 2002 of the Primary Examiner twice or finally rejecting claim 2.

The items checked below are appropriate:

- The time for response to the Office Action of January 7, 2002 expires on April 1. [x] <u>7, 2002</u>.
- A \_-month extension of time for response to the Office Action dated \_ was filed 2. on \_. [No additional extensions of time are required.]

01 FC:119

320.00 CH

- 3a. [] Applicant(s) hereby request(s) a one two three-month extension of the original shortened statutory response period set in the Office Action of \_. A check in the amount of \_ in payment of the government fee for an extension of time is enclosed herewith.
- This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated. Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be. A check for the additional extension fee of \$ is enclosed.
- 4. [] Check for payment of the appeal fee of \$320.00
  - is enclosed herewith.
  - [] No additional fee is required (fee paid in prior appeal).
  - [x] Charge the fee to Deposit Account No. 03-2412 (one additional copy of this Notice is enclosed herewith).
- 5. [x] Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, to Deposit Account No. 03-2412. A duplicate copy of this sheet is enclosed.

Respectfully submitted, COHEN, PONTANI, LIEBERMAN & PAVANE

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Dated: April 8, 2002